

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
AVIDYNE CORPORATION, a)	
Delaware corporation,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-11098 GAO
)	
L-3 COMMUNICATIONS AVIONICS)	
SYSTEMS, INC., f/k/a B.F. GOODRICH)	
AVIONICS SYSTEMS, INC., a)	
Delaware corporation,)	
)	
Defendant.)	
_____)	

JOINT STATEMENT PURSUANT TO
EXPENSE AND DELAY REDUCTION PLAN

The parties have conferred as required by Fed. R. Civ. P. 26(f), and they propose the following discovery plan, pursuant to Rule 26(f) and Rule 16.1(D) of the Local Rules and this Court's October 21, 2005 Notice of Scheduling Conference:

I. Introduction

Avidyne Corporation ("Avidyne") filed a Declaratory Judgment Complaint on or about May 25, 2005, seeking a declaration that the integrated flightdeck system sold by Avidyne under the mark FLIGHTMAX ENTEGRA does not infringe a pre-existing patent held by L-3 Communications Avionics Systems, Inc. ("L-3 Communications"). L-3 Communications has counterclaimed against Avidyne, alleging that the Avidyne system infringes the L-3 Communications patent.

II. Agenda for Scheduling Conference

- A. Discuss discovery schedule and pretrial motions;
- B. Discuss mediation and settlement; and
- C. Discuss timing for pretrial memoranda.

III. Pretrial Schedule

The parties agree to the Discovery Event Limitations set forth in Local Rule 26.1(C), except that requests for admissions relating to the authenticity of documents should not be included in the limitation of 25 requests, and further agree to the following discovery schedule:

A. <u>Discovery Events</u>	<u>Time for Completion</u>
Initial Disclosures Served	February 2, 2006
Designation of Plaintiff's Experts	August 4, 2006
Designation of Defendant's Experts	August 18, 2006
Markman Hearing	
- Opening Briefs (simultaneous)	September 16, 2006
- Briefs in Opposition	September 27, 2006
- Hearing	October 11, 2006
Fact Discovery Completed	September 30, 2006
Expert Discovery Completed	December 30, 2006
B. <u>Pretrial Motions</u>	
Motions for Summary Judgment and/or other dispositive motions filed and served	Sixty days after the Markman decision
Final Hearing on Motion(s)	Within sixty days of filing

C. Final Pretrial Conference and Trial Dates

Final Pretrial Conference	On or after March 1, 2007
Trial date	On or after July 1, 2007

IV. Other Matters

- A. The parties are open to the possibility of resolving this action through alternative dispute resolution.
- B. The parties do not consent to trial by a Magistrate Judge.
- C. The Certification for L-3 Communications, pursuant to Local Rule 16.1(D)(3), signed by counsel and by the party, is attached hereto as Exhibit A. The Certification for Avidyne will be filed separately.
- D. The parties have exchanged settlement proposals, relating to the claim and counterclaim.
- E. Should either party intend to submit expert testimony with respect to the Markman Hearing, notice of such intent should be given to the opposing party at the time of expert designation.

- F. Expert reports will be exchanged, simultaneously, within thirty days of a decision on the Markman Hearing.

Dated: January 25, 2006

AVIDYNE CORPORATION

By its attorneys,

/s/ Nicholas G. Papastavros

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Respectfully submitted,

L-3 COMMUNICATIONS AVIONICS
SYSTEMS, INC.

By its attorneys,

/s/ Kathleen A. Kelley

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EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AVIDYNE CORPORATION, a
Delaware corporation,

Plaintiff,

v.

L-3 COMMUNICATIONS AVIONICS
SYSTEMS, INC., f/k/a B.F. GOODRICH
AVIONICS SYSTEMS, INC., a
Delaware corporation,

Defendant.

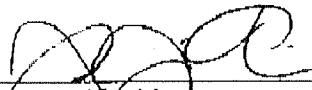
Civil Action No. 05-11098 GAO

CERTIFICATION OF DEFENDANT/PLAINTIFF-IN-COUNTERCLAIM

The undersigned, Terence J. Linn, Esq., counsel for Defendant/Plaintiff-in-Counterclaim, L-3 Communications Avionics Systems, Inc., ("L-3 Communications"), and John Leshinski, Esq., authorized representative of L-3 Communications, with respect to the claims between the plaintiff/defendant-in-counterclaim, Avidyne Corporation and L-3 Communications, hereby affirm that we have conferred regarding the budget for the cost of conducting the full course -- and various alternative courses, including mediation -- for the instant litigation, and have

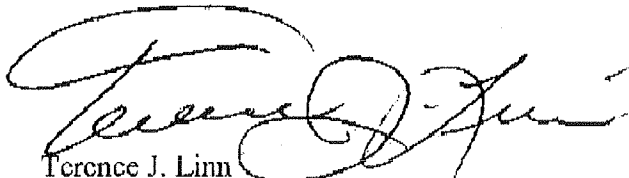
considered the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in LR 16.4.

Dated: January 24, 2006



John J. Leshinski
Title: *VP - Product Group*
L-3 Communications

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